

**Z-09-01-005**

**City of Greensboro Planning Department
Zoning Staff Report and Plan Amendment Evaluation**

Zoning Commission Hearing Date: February 9, 2009

GENERAL INFORMATION

APPLICANT	E & P Property Holding, LLC
HEARING TYPE	Zoning Commission
REQUEST	RS-12 (Residential-Single Family) to RS-9 (Residential-Single Family)
CONDITIONS	N/A
LOCATION	2404, 2406 and 2408 Yow Road (West of Yow Road and south of Twin Lakes Drive)
PARCEL ID NUMBER (S)	00-00-0-3540-00-0100-023, 00-00-0-3540-00-0100- 024, and 00-00-0-3540-00-0100-025
PUBLIC NOTIFICATION	The notification area for this public hearing was 600 feet (Chapter 30-9-1.2 of the City Ordinance requires notification of the owner of that parcel of land and the owners of all parcels of land adjoining and contiguous to that parcel of land as shown on the County tax listing). 93 notices were mailed to those property owners in the mailing area.
TRACT SIZE	1.48 acres
TOPOGRAPHY	Slopes to the north
VEGETATION	Wooded with the City's drainage way located to the north

SITE DATA

Existing Use	Undeveloped
Adjacent Zoning	Adjacent Land Uses
N RS-9 (Residential-Single Family)	City's open space and drainage way
E RS-9 (Residential-Single Family)	Single-Family units
W RS-9 (Residential-Single Family) with an SUP for a lodge	Twin Lakes Lodge
S RS-9 (Residential-Single Family)	Single-Family units

Zoning History

Case #	Date	Request Summary
		This property has been zoned RS-12 since July 1, 1992. Prior to the implementation of the UDO, it was zoned RES 120S

ZONING DISTRICT STANDARDS**District Summary ***

Zoning District Designation:	Existing (RS-12)	Requested (RS-9)
Max. Density:	3 dwelling units/acre	4 dwelling units/acre
Typical Uses	Primarily intended to accommodate moderate density single-family detached dwellings in developments where public water and sewer service is required	primarily intended to accommodate high density and single-family detached dwellings in developments where public water and sewer service is required

**These regulations may not reflect the actual requirements for all situations; see the City of Greensboro Zoning Code for actual regulations for site requirements for this zoning district.*

SPECIAL INFORMATION**Overlay District Ordinance/Historic Preservation – N/A****Environmental/Soils**

Water Supply Watershed	N/A, Site drains to North Buffalo Creek
Floodplains	Floodplain and Floodway encroach in the property. Site must meet floodplain requirements. All proposed structures must be elevated to at least one foot above base flood elevation. No development is allowed in the floodway unless the City ordinance requirements are met.
Streams	Blue line streams and any other perennial streams require a 50' buffer measured from (whichever produces a greater buffer) top of bank, top of steep slope or edge of contiguous wetland. The first 15' must remain undisturbed, next 35' built upon area of 50% and no occupied structures are allowed.
Other:	Detention may be required since the property drains to the Twin Lakes Basin. Possibility of wetlands. Any wetland disturbance and or stream crossing disturbance must be permitted by the State and the Corps of Engineers prior to any disturbance.

Utilities

Potable Water
Waste Water

Airport Noise Cone

The subject property is not located in the Airport Noise Cone.

Landscaping Requirements

Location	Required Planting Yard Type and Rate
	Not applicable - Single Family Exemption

Tree Preservation Requirements**Acreage****Requirements**

1.48 Ac. Not applicable - Single Family Exemption

Transportation

Street Classification	Yow Road – Local Street.
Site Access	Residential driveways.
Traffic Counts:	None available.
Trip Generation:	N/A.
Sidewalks	Sidewalks are a requirement of the Development Ordinance. 5' sidewalk with a 5' grass strip is required along both sides of thoroughfares. 5' sidewalk with a 3' grass strip is required along one side (at a minimum, collectors may require sidewalk on both sides) of all other street types. There is no existing sidewalk along the frontage of this development nor is there a project in the area.
Transit in Vicinity	Yes, route 2, Four Seasons.
Traffic Impact Study (TIS)	No, not required per TIS Ordinance.
Street Connectivity	N/A.
Other	N/A.

IMPACT ANALYSIS**Land Use Compatibility**

The proposed **RS-9** (Residential-Single Family) zoning would allow land uses that are compatible with the general character of the area.

Connections 2025 Comprehensive Plan Policies

The Generalized Future Land Use Map (GFLUM) designates this location as **Low Residential**. The requested **RS-9** zoning district is consistent with this GFLUM designation.

Connections 2025 Written Policies

Reinvestment/Infill Goal: Promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods.

POLICY 4C: Promote new patterns and intensities of use to increase economic competitiveness and enhance quality of life in urban areas.

Housing and Neighborhoods Goal: Meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities.

POLICY 6A.4: Implement measures to protect neighborhoods from potential negative impacts of development, redevelopment, and/or public projects that are inconsistent with the neighborhood's livability, architectural or historical character, and reinvestment potential.

POLICY 6C: Promote the diversification of new housing stock to meet the needs of all citizens for suitable, affordable housing.

Connections 2025 Map Policies

Low Residential (3-5 d.u./acre): This category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within this density range. Although there are some existing residential areas in the City developed on lots greater than 1/3 acre, future residential developments and "conventional" subdivisions should generally maintain a gross density of no less than three dwellings per acre, except where environmental constraints (e.g., the Watershed Critical Area) prevent such densities from being achieved. Compact developments that include clustered, small lots with substantial retained open space are encouraged.

Activity Center: Activity Centers are existing or anticipated future concentrations of uses that function as destinations or hubs of activity for the surrounding area. Typically located in areas of mixed use shown on the Generalized Future Land Use Map, such centers are intended to include features such as a mix of higher intensity uses (housing, retail, office, etc.), compact development patterns, and pedestrian and transit linkages. A one-half mile radius (considered the limit of a comfortable walk) is shown around each activity center except for the Downtown, which functions as an activity center for the entire City. It should be noted that the locations shown on the Generalized Future Land Use Map are conceptual and do not preclude the development of Activity Centers in other locations where they would support the goals and policies of the Comprehensive Plan.

It appears that there is a drainageway crossing on the northern edge of this site that is depicted on the City's "Drainageway and Open Space" map. When this site is subdivided, the Subdivision Ordinance will require the dedication of those areas to the City of Greensboro as drainageway and open space. The width of the dedication along that drainageway will depend on the size of the pipe it would take to cross said drainageway. If a crossing would require a 66-inch or greater pipe, the required dedication would include the land between the natural one-hundred-year flood contour

lines as determined by the City. That area may be reduced in width by filling provided that a minimum average width of two hundred feet is maintained, a minimum width of one hundred feet is maintained at the narrowest point, no fill is placed within a designated floodway, and no slope greater than three to one is created. Article VII, Section 27-22 Stormwater management control requirements, and federal wetlands regulations will prohibit or restrict fill placement in certain locations. If the crossing would require a pipe smaller than 66-inches the minimum average width would be sixty feet.

CONFORMITY WITH OTHER PLANS

City Plans – N/A

Other Plans - N/A

Staff/Agency Comments

Planning

The 1.48-acre subject site is located in a well established and stable single-family neighborhood. The subject site is adjoined on the southern and eastern sides by single-family residences, to the north by City's open space and drainage way and to the west by the Twin Lakes Lodge. In the immediate vicinity is the Twin Lake. The subject site is completely surrounded by parcels which are all zoned RS-9. The applicant intends to subdivide the subject site and develop four single-family dwelling units.

Although the prevalent zoning district in the vicinity is RS-9, properties in the vicinity have lot sizes ranging between approximately 9,000 square feet and 13,000 square feet with an average lot size of about 11,000 square feet (see attached). It is therefore clearly evident that subdividing the subject site (1.48 gross acres) into 4 single family lots translates to about 16,000 square feet per lot.

This request is therefore not contradictory to the general trend in the area and if approved will help promote a diverse mix of housing types, and densities in the general area which will meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities. It will also ensure sound and sustainable patterns of land use, limit sprawl and provide for the efficient provision of public services and facilities.

Staff has made a determination that this request is consistent with the intent and purpose of the zoning code and the Comprehensive Plan (Connections 2025). Staff is also of the opinion that the request is compatible with the existing development and trend in the surrounding area.

Water Resources

The City of Greensboro must adopt and implement the State minimum requirements for the Phase II NPDES post-construction requirements by June 1, 2009. New and revised ordinance language will be adopted to comply with the new regulations, if plan is not submitted before June 1, 2009 site must meet Phase II requirements.

Housing and Community Development

This site is located in the Rolling Roads Neighborhood, a well established and stable single-family neighborhood. While the site itself is currently zoned RS-12, much of the interior of this neighborhood is zoned RS-9, including properties on the east side of Yow Road, and properties on the west side of Yow Road to the north and south of this site. This proposal appears to be consistent with the Generalized Future Land Use Map, which calls for Low Density Residential development of 3 to 5 dwelling units per acre. This proposal also appears to be consistent with Connections 2025 goal 4.5.1 and accompanying policies, related to Reinvestment and Infill Development. The applicant is strongly encouraged to discuss this proposal with representatives of the Rolling Roads Neighborhood.

STAFF RECOMMENDATION

PLANNING

Staff recommends **approval** of the requested **RS-9** (Residential-Single Family) zoning district.